

# HOUSE JOURNAL OF THE IDAHO LEGISLATURE

FIRST REGULAR SESSION  
SIXTIETH LEGISLATURE

SIXTY-FIFTH LEGISLATIVE DAY  
TUESDAY, MARCH 17, 2009

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 69 members present.  
Absent and excused – Barrett. Total – 1.  
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Spencer Powell, Page.

### Approval of Journal

March 17, 2009

Mr. Speaker:  
We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-fourth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

March 16, 2009

Mr. Speaker:  
I transmit herewith enrolled [S 1043](#), [S 1056](#), as amended, [S 1062](#), [S 1070](#), [S 1073](#), [S 1075](#), [S 1080](#), and [S 1091](#) for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled [S 1043](#), [S 1056](#), as amended, [S 1062](#), [S 1070](#), [S 1073](#), [S 1075](#), [S 1080](#), and [S 1091](#) and, when so signed, ordered them returned to the Senate.

March 16, 2009

Mr. Speaker:  
I transmit herewith [S 1089](#), [S 1130](#), [S 1134](#), and [S 1138](#) which have passed the Senate.

WOOD, Secretary

[S 1089](#), [S 1130](#), [S 1134](#), and [S 1138](#) were filed for first reading.

Mr. Speaker:

I return herewith [H 36](#), [H 37](#), [H 83](#), [H 51](#), and [H 102](#) which have passed the Senate.

March 16, 2009

WOOD, Secretary

[H 36](#), [H 37](#), [H 83](#), [H 51](#), and [H 102](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

March 17, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 31](#), as amended in the Senate, [H 34](#), as amended in the Senate, [H 79](#), as amended in the Senate, and [H 132](#), as amended in the Senate.

CLARK, Chairman

The Speaker announced he was about to sign enrolled [H 31](#), as amended in the Senate, [H 34](#), as amended in the Senate, [H 79](#), as amended in the Senate, and [H 132](#), as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 16, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [HCR 18](#) and [HJM 1](#) to the Secretary of State at 1:21 p.m., as of this date, March 16, 2009.

CLARK, Chairman

March 16, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 123](#) to the Governor at 1:25 p.m., as of this date, March 16, 2009.

CLARK, Chairman

March 16, 2009

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [H 84](#) and [H 225](#) and recommend that they do pass.

NONINI, Chairman

[H 84](#) and [H 225](#) were filed for second reading.

March 16, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 218](#) and recommend that it do pass.

LOERTSCHER, Chairman

[H 218](#) was filed for second reading.

March 16, 2009

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [S 1065](#), [S 1127](#),

[S 1109](#), as amended, and [SJM 101](#) and recommend that they do pass.

BLOCK, Chairman

[S 1065](#), [S 1127](#), [S 1109](#), as amended, and [SJM 101](#) were filed for second reading.

March 16, 2009

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [S 1061](#) and [S 1131](#) and recommend that they do pass.

WOOD, Chairman

[S 1061](#) and [S 1131](#) were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 245  
BY EDUCATION COMMITTEE  
AN ACT**

RELATING TO THE PARENTS AS TEACHERS FAMILY SUPPORT ACT; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 68, TITLE 39, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO STATE LEGISLATIVE FINDINGS AND INTENT, TO DEFINE TERMS, TO PROVIDE FOR THE PARENTS AS TEACHERS FAMILY SUPPORT PROGRAM, TO PROVIDE FOR RULEMAKING AUTHORITY AND TO PROVIDE FOR THE PARENTS AS TEACHERS FAMILY SUPPORT FUND.

**HOUSE BILL NO. 246  
BY TRANSPORTATION AND DEFENSE COMMITTEE  
AN ACT**

RELATING TO TRANSPORTATION AND MOTOR FUEL TAXES; AMENDING SECTION 40-701, IDAHO CODE, TO REVISE THE APPORTIONMENT FROM THE HIGHWAY DISTRIBUTION ACCOUNT AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 7, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-701A, IDAHO CODE, TO PROVIDE FOR THE HIGHWAY MAINTENANCE, PRESERVATION AND RESTORATION FUND, TO PROVIDE FOR MONEYS CREDITED TO THE FUND, TO PROVIDE FOR INTEREST, TO PROVIDE FOR APPORTIONMENT OF FUND MONEYS, TO PROVIDE FOR CONTINUOUS APPROPRIATION AND TO PROVIDE FOR EXPENDITURES; AMENDING SECTION 63-2402, IDAHO CODE, TO REVISE THE TAX UPON MOTOR FUEL AND TO PROVIDE EFFECTIVE DATES; AND AMENDING SECTION 63-2424, IDAHO CODE, TO REVISE CERTAIN FEES RELATING TO VEHICLES POWERED BY GASEOUS FUELS AND TO PROVIDE EFFECTIVE DATES.

**HOUSE BILL NO. 247  
BY TRANSPORTATION AND DEFENSE COMMITTEE  
AN ACT**

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-402, IDAHO CODE, TO REVISE ANNUAL REGISTRATION FEES FOR CERTAIN VEHICLES, TO

PROVIDE FOR DEPOSIT OF MONEYS, TO PROVIDE FOR ANNUAL REGISTRATION FEES FOR CERTAIN VEHICLES AND TO PROVIDE EFFECTIVE DATES; AMENDING SECTION 49-402B, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 49-411, IDAHO CODE, TO REVISE VALIDATION FEE PROVISIONS RELATING TO DEALER AND MANUFACTURER PLATES, TO PROVIDE VALIDATION FEE PROVISIONS RELATING TO DEALER AND MANUFACTURER PLATES AND TO PROVIDE EFFECTIVE DATES; AMENDING SECTION 49-426, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 49-431, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 49-432, IDAHO CODE, TO REVISE SPECIFIED PERMIT FEES, TO DELETE REFERENCE TO CERTAIN PERMIT FEES, TO PROVIDE CERTAIN PERMIT FEES, TO PROVIDE CODE REFERENCES AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 49-434, IDAHO CODE, TO DELETE REFERENCE TO CERTAIN REGISTRATION FEES, TO PROVIDE CERTAIN REGISTRATION FEES, TO PROVIDE FOR DEPOSIT OF MONEYS, TO PROVIDE CORRECT CODE REFERENCES, TO REVISE CERTAIN REGISTRATION AND ADMINISTRATIVE FEES, TO PROVIDE EFFECTIVE DATES, TO PROVIDE OPTIONS TO CERTAIN ANNUAL REGISTRATIONS, TO SPECIFY PROCESS PROVISIONS, TO PROVIDE FOR ADMINISTRATIVE FEES, TO DELETE REFERENCE TO PROVISIONS RELATING TO REGISTRATION FEES FOR SPECIFIED COMMERCIAL AND FARM VEHICLES, TO PROVIDE FOR REGISTRATION FEES FOR SPECIFIED COMMERCIAL AND FARM VEHICLES, TO REVISE FEE PROVISIONS RELATING TO SPECIFIED COMMERCIAL AND FARM VEHICLES AND TO DELETE REFERENCE TO CERTAIN USE FEES; AMENDING SECTION 49-435, IDAHO CODE, TO REVISE AN IDENTIFICATION CHARGE, TO REVISE A CODE REFERENCE AND TO CLARIFY THAT CERTAIN FEES SHALL BE PAID PURSUANT TO APPLICABLE CODE REFERENCES; AMENDING SECTION 49-439, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 49-443, IDAHO CODE, TO PROVIDE CODE REFERENCES, TO REVISE CODE REFERENCES AND TO REVISE CERTAIN TRANSFER FEES RELATING TO VEHICLES DESTROYED BY FIRE OR ACCIDENT; AMENDING SECTION 49-450, IDAHO CODE, TO REVISE THE FEE RELATING TO THE ISSUANCE OF PLATES; AMENDING SECTION 67-7122, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND PROVIDING AN EFFECTIVE DATE.

[H 245](#), [H 246](#), and [H 247](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1089](#), by Transportation Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

[S 1130](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

[S 1134](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Transportation and Defense Committee.

[S 1138](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Revenue and Taxation Committee.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

[H 232](#), by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

Mr. Lake asked unanimous consent that [H 233](#) be placed on General Orders for consideration. There being no objection it was so ordered.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House returned to the Fifth Order of Business.

**Report of Standing Committees**

March 17, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 246](#) and [H 247](#).

CLARK, Chairman

[H 246](#) and [H 247](#) were filed for second reading.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m., Wednesday, March 18, 2009. Seconded by Mr. Ruchti. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:18 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk